

REMARKS

Claims 12-20 are pending in this application. Claims 12, 19 and 20 are amended.

Claim 20 was rejected under 35 U.S.C. 101. Applicants have amended claim 20.

Accordingly, Applicants respectfully request that the rejection of claim 20 be withdrawn.

Claims 12, 13, 15 and 18-20 were rejected under 35 U.S.C. 102(e) as being anticipated by *Costello et al.* (U.S. Patent Application Publication 2002/0007225). Applicants amend claim 12 and 19 to clarify the nature of a “parts check list” as a list that shows parts information in a tabular form. In view of the aforementioned amendments and following remarks, Applicants respectfully request that the §102(e) rejection be withdrawn.

The Examiner states that “[*Costello et al.*] teaches that parts information is exchanged between the portable unit 14 and the parts requisition center 22 (paragraph [0026]), and that the system provides parts ordering via communication with the parts requisition center (paragraph [0028]), said parts information constituting the claimed automatically prepared parts check list.”

However, the Examiner has mischaracterized the feature - *automatically preparing a parts check list* [claim 1]. For example, the underlying provisional application of the *Costello et al.* reference, discloses: “The system also allows by double clicking on a part..., bringing up a menu that has options for checking the price and delivery ability of particular parts, checking the availability of...ordering parts...and the option to place a particular part in a shopping cart...If the customer simply elects to order a part, the part is then placed in the shopping cart and the customer is allowed to then proceed on to select other parts.” [pp. 2-3, not cited by the Examiner.]

In view of this, it is apparent that *Costello et al.*, merely discloses a system for ordering machine parts. Whereas, in the present invention, a necessary parts list with attached drawings is displayed in advance to actual parts-ordering (which can be printed as necessary.) Such a list can be effectively used as references for making estimation and decision. Further, order errors such as double-ordering can be restrained. Especially, in ordering parts of construction machines, where there are a number of similar elements with little distinctiveness, since the above-discussed errors are quite likely and it is difficult to grasp the specific image of the parts to be ordered, the list display of the present invention is useful.

Accordingly, Applicants respectfully request that the Examiner withdraw the §102(e) rejection of claims 12, 13, 15 and 18-20.

Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Costello et al.* as applied to claims 12, 13, 15 and 18-20 above, and further in view of *Joseph et al.* (U.S. Patent 6,606,603). Claim 16 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Costello et al.* as applied to claims 12, 13, 15 and 18-20 above, and further in view of *Rune* (U.S. Patent 6,304,913). Also, claim 17 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Costello et al.* and *Rune* as applied to claim 16, and further in view of *Gladney et al.* (U.S. Patent 4,714,992). Applicants respectfully submit that as claims 14, 16, and 17 depend from claim 12, they should likewise be allowable.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

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Response Filed: August 11, 2005

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Darrin A. Auito

Attorney for Applicants
Registration No. 56,024
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

DAA/cas